

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NICOLE BROECKER, *et al.* on behalf of
themselves and all other similarly situated
employees of the New York City Department of
Education,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION, *et al.*,

Defendants.

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INDEX NO. 21-cv-06387

**AFFIRMATION OF AUSTIN
GRAFF REGARDING
SERVICE OF THE COURT'S
JANUARY 27, 2022 ORDER**

AUSTIN GRAFF, an attorney admitted to practice law before this Court, who is not a party to this Action, affirmed to be true under penalties of perjury says:

1. I am associated with The Scher Law Firm, LLP, the attorneys for the Plaintiffs, in the above-entitled Action, and am familiar with the relevant facts and circumstances surrounding the allegations that comprise this litigation based upon the records maintained by my office regarding this matter. I submit this Affirmation as an Affirmation of Service of the Court's January 27, 2022 Order upon the newly-named Defendants. I offer this Affirmation based upon my own personal knowledge.

2. Upon receipt of the Court's Order at approximately 12:35 pm, me and my office reached out by telephone to each of the eleven newly-named Defendants to find out a fax number and/or email address that our office could use to send the Court's Order. As a result of our communications solely regarding manner of sending the Court's Order we were able to obtain fax numbers and email addresses for each of the eleven newly-named Defendants.

3. On January 27, 2022 at 2:32 pm (the fax time is off by an hour), we faxed to the Defendant Shaun D. Francois I, President of DC 37, Local 732 a copy of a letter and the Order as reflected on **Exhibit A** to this Affirmation. The fax was followed up with an email at 2:46 pm to

provided by District Council 37 as to where we should email the Order. *See, Exhibit K* to this Affirmation.

11. On January 27, 2022 at 3:49 pm (the fax time is off by an hour), we faxed to the Defendant Henry Garrido, President of District Council 37 a copy of a letter and the Order as reflected on **Exhibit L** to this Affirmation. The fax was followed up with an email at 4:04 pm to the email addresses we were provided by District Council 37 as to where we should email the Order. *See, Exhibit M* to this Affirmation.

12. Accordingly, all of the newly-named Defendants have been served with the Court's January 27, 2022 Order.

Dated: Carle Place, New York
January 27, 2022



Austin Graff